

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983
in the UNITED STATES DISTRICT COURT for the SOUTHERN DISTRICT of GEORGIA

CHRISTOPHER J. SHAW
CARLTON KIRKLAND
RASHAD HILL
SETH MOORE
JEROME DAVIS
MICHEAL GREEN

(Enter above full name of plaintiff or plaintiffs)

v.

CHATHAM COUNTY DETENTION CENTER
SHERIFF JOHN WILCHER
~~DETENTION CENTER~~

(Enter above full name of defendant or defendants)

I. Previous lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action? Yes No

If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county):

3. Docket number: _____

4. Name of judge assigned to case: _____

CLERK
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201559-3 FM 3:56
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

CV 421 42

5. Disposition
(for example, was the case dismissed? appealed? is it still pending?):

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)?
Yes _____ No _____

B. While incarcerated or detained in any facility, have you brought any lawsuits in federal court which deal with facts other than those involved in this action?
Yes No _____

If your answer to B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to previous lawsuit:

Plaintiffs: CHRISTOPHER J. SHAW

Defendants: CALHOUN STATE PRISON, ET AL.
SGT. SPENCER

2. Court (name the district):

MIDDLE DISTRICT OF GEORGIA / ALBANY DIVISION

3. Docket number: 1:17-CV-80-LAG-TOL

4. Name of judge assigned to case: LESLIE ABRAMS GARDNER

5. Disposition
(for example, was the case dismissed? appealed? is it still pending?):

PENDING

6. Approximate date of filing lawsuit: 4/27/2017

7. Approximate date of disposition: _____

8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)? Yes No _____

C. As to any lawsuit filed in federal court where you were allowed to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? Yes _____ No

1. If your answer to C is yes, name the court and docket number for each case:

II. Place of present confinement: CHATHAM COUNTY DETENTION CENTER

A. Is there a prisoner grievance procedure in this institution? Yes No _____

B. Did you present the facts relating to your complaint to the appropriate grievance committee? Yes _____ No _____
I BELIEVE

C. If your answer to B is yes:

1. What steps did you take? GRIEVANCES ARE NOW ELECTRONIC (ON A KIOSK) SOME GET ANSWERED, SOME DO NOT. SOMETIMES THEY ARE ACCEPTED IN STATUS, BUT REFLECTED IN ANSWER WHICH PREVENTS APPEALS. SAME INITIAL GRIEVANCES AND APPEALS ARE ANSWERED BY THE SAME OFFICER. I HAVE EVEN HAND WRITTEN GRIEVANCES AND SERVED AN OFFICER, SENDING COPY TO THE SHERIFF.

2. What was the result? ACCEPTED IN STATUS, REFLECTED IN WRITING OR NO RESPONSE AT ALL

3. Did you appeal any adverse decision to the highest level possible in the administrative procedure? Yes No

If yes, what was the result? REJECTED, OR NO RESPONSE

D. If you did not utilize the prison grievance procedure, explain why not: WHERE I HAVE NOT USED THE KIOSK, I HAVE HAND WRITTEN A GRIEVANCE AND SENT THROUGH THE MAIL TO SHERIFF. NO RESPONSE

III. Parties

(In Item A below, list your name as plaintiff and current address. Provide the name and address of any additional plaintiffs on an attached sheet.)

A. Name of plaintiff: CHRISTOPHER J. SHAW
Address: CARLTON KIRKLAND
RASHAD HILL
SETH

(In Item B below, list the defendant's full name, position, place of employment, and current address. Provide the same information for any additional defendants in Item C below.)

B. Name of defendant: CHATHAM COUNTY DETENTION CENTER
Position: _____
Place of employment: _____
Current address: 1074 CARL GRIFFIN DRIVE
SAVANNAH, GEORGIA 31405

C. Additional defendants: SHERIFF JOHN WILCHER


IV: Statement of Claim

State here as briefly as possible the FACTS in your case. Describe how each defendant is personally involved in the depriving you of your rights. You must include relevant times, dates, places, and names of witnesses. DO NOT GIVE LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

SEE: STATEMENT OF CLAIM ATTACHED

STATEMENT OF CLAIM

I. CLASS ACTION CLAIM (ALL ABOVE PLAINTIFFS)

14TH AMENDMENT SUBSTANTIVE DUE PROCESS, 8TH AMENDMENT
CRUEL AND UNUSUAL PUNISHMENT, 9TH AMENDMENT HUMAN RIGHTS.

PRIOR TO THE SUMMER OF 2019 IN A CELL HOUSE THAT WAS BUILT TO HOUSE FIFTY-TWO PEOPLE, HOUSE MORE DUE TO OVER CROWDEDNESS AND PLACE A THIRD MAN ON THE FLOOR OF A TWO MAN CELL. ALL INMATE WERE PERMITTED ACCESS TO THE DAY AREA FOR APPROXIMATELY EIGHT HOURS OF THE DAY. AFTER APPROXIMATELY THE SUMMER OF 2019 THE SHERIFF OR ALTERNATIVELY THE DETENTION CENTER CREATED A TIER SYSTEM THAT ALLOWS ONE TIER ACCESS TO THE DAY ~~■■■■■~~ ROOM FOR THREE (3) HOURS IN THE MORNING AND TWO (2) HOURS IN THE EVENING, GIVING THE OTHER TIER THREE (3) HOURS IN THE AFTERNOON. THIS TIER SCHEDULE ROTATES DAILY.

AFTER THE START OF THE PANDEMIC OF 2020 THE SHERIFF, OR ALTERNATIVELY THE DETENTION CENTER SUPPLEMENTED THE TIER SYSTEM BY DIVIDING THE EXISTING TIERS IN HALF CREATING A FOUR (4) TIER SYSTEM THAT ALLOWS ONE AND ONE HALF (1½) HOURS FOR EACH OF TWO TIERS ACCESS TO THE DAY ROOM IN THE ~~■■■■■~~ MORNING AND ONE (1) HOUR EACH FOR THE SAME TWO TIERS IN THE EVENING; GIVING THE OTHER TWO TIERS ACCESS ONE AND ONE HALF (1½) HOURS IN THE AFTERNOON. THIS TIER SCHEDULE ROTATES DAILY.

ON JAN 23, 2021, THE SHERIFF OR ALTERNATIVELY THE DETENTION CENTER FURTHER SUPPLEMENTED THE TIER

SYSTEM BY FURTHER DIVIDING THE SAME SYSTEM BY CREATING A SIX (6) TIER SYSTEM THAT ALLOWS ACCESS TO THE DAY ROOM FOR ONE (1) HOUR EACH FOR THREE (3) TIERS IN THE MORNING; AND FORTY (40) MINUTES EACH FOR THE SAME THREE (3) TIERS IN THE EVENING. GIVING THE OTHER TIERS ONE HOUR EACH IN THE AFTERNOON. THIS TIER SCHEDULE ROTATES DAILY.

WITH ONLY THE ONE (1) HOUR OUT WE ARE UNABLE TO ACCOMPLISH THE DAILY NECESSITIES SUCH AS:

1. UTILIZE THE TOILET IN PRIVATE.
2. CLEAN THE CELLS (BROOM, MOP, CLEAN SINK, TOILET, WALLS)
3. EXERCISE AND TAKE IN FRESH AIR, SUNLIGHT
4. TAKE A SHOWER
5. USE THE KIOSK TO HANDLE BUSINESS (UNIT REQUEST, GRIEVANCE, MAIL REQUEST, MEDICAL REQUEST, EMAIL, COMMISSARY REQUEST, ETC.)
6. PHONE CALLS (TO TALK WITH FAMILY, LAWYERS).
7. FELLOWSHIP. AS ~~HUMAN~~ HUMAN BEINGS WE ARE NATURALLY SOCIAL BEINGS AND NEED SOME SOCIALIZING.

THE JAIL HAS PROHIBITED POSTAL MAIL. THE ONLY TIME WE ARE ABLE TO READ LETTERS FROM FAMILY OR VIEW PICTURES IS DURING OUR TIME OUT, ON THE KIOSK AND THE EMAILS AUTOMATICALLY DELETE IN A WEEK LEAVING US WITH NO LETTERS OR PICTURES.

WE ARE PRETRIAL DEFENDANTS NOT CONVICTED FELONS, YET WE ARE FORCED TO GO THROUGH THESE PSYCHOLOGICAL TORMENTAS

AS TENSIONS BUILD AND EMOTIONAL STRESS FROM BEING BEHIND
DOORS ALL DAY LONG. YET THERE ARE PEOPLE IN OPEN
DOORS ALL DAY LONG TRUSTED TO SOCIAL DISTANCE. THE CON-
STITUTION SHOULD NOT BE PUT AWAY AND FORGOTTEN.

v. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

INJUNCTIVE RELIEF:

RESTORE THE TWO TIER SYSTEM, WHICH IS TWENTY-SIX PEOPLE ON ONE TIER WITH THREE HOURS OUT IN MORNING AND TWO HOURS OUT IN THE EVENING, WITH THREE (3) HOUR FOR THE OTHER TIER IN THE AFTERNOON. WITH THE SCHEDULE ROTATING DAILY.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 3 day of FEBRUARY, 2021

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SS020342

P1109273

Prisoner No. P1803058

DD601294

P1906302

Christopher J. Lee

Michael Evans

Rothan Hill

Seth C. Moore

(Signature of Plaintiff)

Jerome Dizamu Davis

Carlton Pickland

